

**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Takeshi SHIRAI et al.

Group Art Unit: 2872

Application No.: 10/569,207

Examiner: A. AMARI

Filed: February 23, 2006

Docket No.: 127104

For: OPTICAL ELEMENT AND EXPOSURE APPARATUS

**APPLICANTS' SEPARATE RECORD OF TELEPHONE INTERVIEW**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

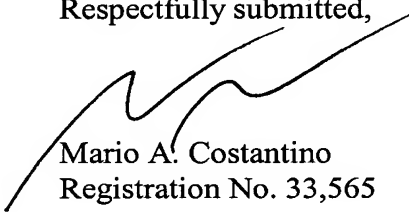
Further to the October 29, 2009 telephone interview with Examiner Amari, Applicants request reconsideration of the above-identified application. Claims 37-39 and 60-66 are pending.

As agreed during the telephone interview, the obviousness-type double patenting rejections will be withdrawn in view of the comments presented in the October 15, 2009 Request for Reconsideration. As further discussed, the references cited in the Information Disclosure Statement filed on October 15, 2009 should not be considered by the Examiner. The references should simply be placed in the application file.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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MAC:SMS/bab

Date: November 3, 2009

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